

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ALABAMA  
NORTHERN DIVISION

IN RE:

CASE NO. 08-83535-JAC-13

THOMAS LEON BALDWIN II  
SSN: xxx-xx-7231  
Cammie Sue Baldwin  
SSN: xxx-xx-4724

CHAPTER 13

Debtor,

**MOTION TO AUTHORIZE HOME MORTGAGE LOAN MODIFICATIONS**  
**WITH AMERICA'S SERVICING COMPANY**

COMES NOW the Debtors, THOMAS LEON BALDWIN II and CAMMIE SUE BALDWIN, and moves this Honorable Court for authorization to enter into a loan modification agreement with America's Servicing Company and as grounds therefore would show as follows:

1. The Debtor's current mortgage payment is \$1,201.59 with an interest rate of 9.625%. The loan modification agreement proposes to keep the interest rate at 9.625 % and modify the monthly mortgage payment amount to \$1,378.09 per month to allow the Debtor's to catch up the arrears on the mortgage.

2. The Debtors will receive no cash proceeds from the transaction and will submit a copy of the HUD-1 financing statement to the Trustee for approval prior to closing.

3. The proof of claim filed by the creditor, America's Servicing Company, for the balance of the mortgage arrears shall be disallowed with the balance of the claim to be paid in the mortgage modification.

2. The Debtors believe that the loan modification agreement is in their best interest and would request this Court to grant authorization for them to enter into the loan modification agreement on the home mortgage.

WHEREFORE, THE FORGOING PREMISES CONSIDERED, the Debtors, Thomas L. Baldwin and Cammie Sue Baldwin, move this Honorable Court for authorization to enter into a loan modification agreement on their home mortgage to allow them to bring the mortgage payments current.

NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE U.S. BANKRUPTCY COURT AND A COPY SERVED ON THE PARTY FILING THIS MOTION AND THE CHAPTER 13 STANDING TRUSTEE WITHIN 30 DAYS FROM DATE OF SERVICE HEREOF, UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH REQUEST FOR A HEARING. IF NO RESPONSE IS TIMELY SERVED AND FILED, THE MOTION SHALL BE DEEMED UNOPPOSED AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF A RESPONSE IS FILED AND SERVED IN A TIMELY MANNER, IT WILL BE SET FOR A HEARING BEFORE THE JUDGE ON THE 28TH DAY OF FEBRUARY, 2011, AT 9: 00 A.M. AT THE FEDERAL BUILDING LOCATED IN DECATUR, ALABAMA.

/s/ G. John Dezenberg, Jr.  
G. JOHN DEZENBERG, JR.  
Attorney for Debtors  
908-C North Memorial Parkway  
Huntsville, AL 35801  
Phone: (256) 533-5097

**CERTIFICATE OF SERVICE**

I, G. John Dezenberg, Jr., do hereby certify that I have this day served a copy of the foregoing instrument, by placing copies of same in the U.S. Mail, postage prepaid and properly addressed to the following:

Hon. Diane Murray  
Attorney for America's Servicing Co.  
Sirote & Permutt, P.C.  
PO Box 55887  
Birmingham, AL 35255-5587

Hon. Philip A. Geddes, Trustee  
PO Box 2388  
Decatur, AL 35602

America's Servicing Company  
Attention: Bankruptcy Department  
MACX7801-014  
3476 Stateview Blvd.  
Fort Mill, SC 29715

And to all Creditors listed on the Debtor's Mailing Matrix as attached hereto.

THIS the 24th day of January, 2011.

/s/ G. John Dezenberg, Jr.  
G. JOHN DEZENBERG, JR.

Label Matrix for local noticing  
1126-8  
Case 08-83535-JAC13  
NORTHERN DISTRICT OF ALABAMA  
Decatur  
Wed Jan 26 09:55:22 CST 2011

Jefferson Capital Systems LLC  
PO BOX 7999  
ST CLOUD, MN 56302-7999

1st Community Credit  
1608 2nd Ave. SW  
Cullman, AL 35055-5313

AMERICA'S SERVICING COMPANY  
ATTENTION: BANKRUPTCY DEPT  
MACX7801-014  
3476 STATEVIEW BLVD  
FORT MILL, 29715-7203

America's Servicing Company  
PO Box 10388  
Des Moines, IA 50306-0388

Chase Cars  
7855 Hwy 72 West  
Madison, AL 35758-9559

DR DAVID BRUCE  
C/O HOLLOWAY CREDIT  
PO BOX 27  
HUNTSVILLE AL 35804-0027

Emergency Physicians Grp H'ville  
PO Box 11407 DRW 141  
Birmingham, AL 35246-0141

GMAC, LLC f/k/a General Motors Acceptance Co  
c/o Yearout, Spina & Lavelle, P.C.  
1500 Urban Center Drive, Suite 450  
Birmingham, Alabama 35242-2215

Holloway Credit Bureau Co  
P.O. Box 27  
Huntsville, AL 35804-0027

America's Servicing Company  
C/o Diane Murray-Sirote & Permutt  
PO Box 55887  
Birmingham, AL 35255-5887

Recovery Management System Corporation  
attn: Ramesh Singh  
25 SE 2nd Ave Ste 1120  
Miami, FL 33131-1605

1st Community Credit  
920 Hwy 72 E  
Athens, AL 35611-4318

ARROW FINANCIAL SERVICES, LLC  
c/o Jefferson Capital Systems LLC  
PO BOX 7999  
SAINT CLOUD MN 56302-7999

Brookwood Medical Center  
2010 Brookwood Medical Ctr. Dr.  
Birmingham, AL 35209-6875

Comprehensive Anest Services  
2006 Franklin St. Ste. 301  
Huntsville, AL 35801-4537

DR SAM FRANKEL  
C/O HOLLOWAY CREDIT  
PO BOX 27  
HUNTSVILLE AL 35804-0027

(p)WACHOVIA BANK NA  
PO BOX 13765  
ROANOKE VA 24037-3765

HOLTS PEST CONTROL  
C/O HOLLOWAY CREDIT  
PO BOX 27  
HUNTSVILLE AL 35804-0027

Huntsville EMS, Inc.  
PO Box 7108  
Huntsville, AL 35807-1108

GMAC, LLC  
c/o Yearout, Spina & Lavelle, P.C.  
1500 Urban Center Drive, Suite 450  
Birmingham, AL 35242-2215

U. S. Bankruptcy Court  
400 Well Street  
P. O. Box 2775  
Decatur, AL 35602-2775

1st Community Credit Corp  
17 North 20th Street  
Suite 660  
Birmingham, Alabama 35203-4061

ATHENS UTILITIES  
C/O HOLLOWAY CREDIT  
PO BOX 27  
HUNTSVILLE AL 35804-0027

Central Financial Control  
P.O. Box 66040  
Anaheim, CA 92816-6040

DEBRA L WILLIAMS DO  
C/O HOLLOWAY CREDIT  
PO BOX 27  
HUNTSVILLE AL 35804-0027

Drive Financial Services  
PO Box 560583  
Dallas, TX 75356-0583

First Premier Bank  
601 South Minnesota Ave.  
Sioux Falls, SD 57104-4868

ESBC  
PO Box 5253  
Carol Stream, IL 60197-5253

Huntsville Hospital  
101 Sivley Road  
Huntsville, AL 35801-4470

Ingram & Associates, LLC  
PO Box 59729  
Birmingham, AL 35259-9729

Law Office of Mitchell N. Kay  
7 Penn Plaza  
New York, NY 10001-3995

Law Offices of Mitchell N. Kay  
7 Penn Plaza - 18th Floor  
New York, NY 10001-3967

MALLETTE DERMATOLOGY  
C/O HOLLOWAY CREDIT  
PO BOX 27  
HUNTSVILLE AL 35804-0027

McCurry Motors Co.  
24305 US Hwy 72  
Athens, AL 35613-7605

Medco Services  
4811 C Bradford Drive  
Huntsville, AL 35805-1948

Premier BankCard/Charter  
P.O. Box 2208  
Vacaville, CA 95696-8208

Recovery Management Systems Corporation  
25 S.E. 2nd Avenue, Suite 1120  
Miami, FL 33131-1605

Roundup Funding, LLC  
MS 550  
PO Box 91121  
Seattle, WA 98111-9221

Santander Consumer USA Inc.  
Attn: Heather Mupita  
PO Box 560284  
Dallas, TX 75356-0284

South Verizon Wireless  
PO Box 3397  
Bloomington, IL 61702-3397

Sunbelt Auto Center  
1216 N. Memorial Parkway  
Huntsville, AL 35801-5929

The Orthopaedic Center  
927 Franklin Street 4th Floor  
Huntsville, AL 35801-4305

VALLEY ENT  
C/O HOLLOWAY CREDIT  
PO BOX 27  
HUNTSVILLE AL 35804-0027

Valley ENT Associates  
1005 West Market St., Ste. 8  
Athens, AL 35611-2454

Verizon Wireless  
1 Verizon PL  
Alpharetta, GA 30004-8510

Yearout Spina & Lavelle, P.C.  
1500 Urban Center Dr., Suite 450  
Birmingham, AL 35242-2215

Cammie Sue Baldwin  
833 Clutts Rd.  
Harvest, AL 35749-9034

G. John Dezenberg Jr.  
908-C N Memorial Parkway  
Huntsville, AL 35801-5813

Philip A Geddes  
PO Box 2388  
Decatur, AL 35602-2388

Thomas Leon Baldwin II  
833 Clutts Rd.  
Harvest, AL 35749-9034

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

First American Bank  
Attn: Gina Fowler  
P.O. Box 2203  
Decatur, AL 35602

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) zzGMAC

(c)JEFFERSON CAPITAL SYSTEMS LLC  
PO BOX 7999  
ST CLOUD MN 56302-7999

End of Label Matrix	
Mailable recipients	50
Bypassed recipients	2
Total	52